

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

RONALD ALFRED THOMAS,

Case No. 15-CV-1174 (PJS/HB)

Petitioner,

v.

ORDER

SCOTT A. BUHLER, WARDEN
MICHELLE SMITH, and
COMMISSIONER OF DEPT. OF
CORRECTIONS,

Respondents.

Ronald Alfred Thomas, pro se.

Scott A. Buhler, POLK COUNTY ATTORNEY'S OFFICE; James B. Early and Matthew Frank, MINNESOTA ATTORNEY GENERAL'S OFFICE, for respondents.

Petitioner Ronald Thomas is a state prisoner serving 360 months in prison after entering an *Alford* plea to one count of first-degree criminal sexual conduct. Thomas brings this habeas action under 28 U.S.C. § 2254 seeking to overturn his conviction and sentence.

This matter is before the Court on Thomas's objection to the March 11, 2015 Report and Recommendation ("R&R") of Magistrate Judge Hildy Bowbeer. Judge Bowbeer recommends dismissing this action with prejudice as time-barred under 28 U.S.C. § 2244(d). The Court has conducted a de novo review. *See* 28 U.S.C. § 636(b)(1);

Fed. R. Civ. P. 72(b). Based on that review, the Court overrules Thomas's objection and adopts the R&R.

ORDER

Based on the foregoing, and on all of the files, records, and proceedings herein, the Court OVERRULES petitioner's objection [ECF Nos. 6, 7] and ADOPTS the March 11, 2015 R&R [Docket No. 4]. IT IS HEREBY ORDERED THAT:

1. Petitioner's 28 U.S.C. § 2254 petition is DISMISSED WITH PREJUDICE as time-barred.
2. Petitioner's application to proceed without prepaying fees or costs [ECF No. 2] is DENIED.
3. No certificate of appealability will issue.

LET JUDGMENT BE ENTERED ACCORDINGLY.

Dated: April 16, 2015

s/Patrick J. Schiltz

Patrick J. Schiltz
United States District Judge